

# Regulations per 780 CMR Massachusetts State Building Code 7<sup>th</sup> Edition

Effective 2/29/2008

Section 780 CMR 120.M

## Swimming Pools, Spas and Hot tubs Barrier Requirements

**An outdoor private swimming pool (in-ground, above-ground, on-ground, hot tub or spa) containing more than 24 inches of water shall be provided with a protective barrier, which shall comply with the following:**

### Barrier Requirements:

#### The Fence:

1. Top of barrier shall be at least 48 inches above finished ground level (side opposite pool)
2. A 2 inch space between barrier and ground ( side opposite the pool)
3. A 4 inch space between top of pool and barrier ( maximum)
4. Openings in barrier shall not allow passage of a 4 inch diameter sphere
5. Solid Barriers which do not have openings, such as a masonry or stone wall, shall not contain indentation or protrusions except for normal construction tolerance and tooled masonry joints
6. Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is **less than 45 inches**, the horizontal members shall be located on the swimming pool side of the fence. Spacing between vertical members shall not exceed 1 ¾ inches in width. Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1 ¾ in width.
7. Where the barrier is composed if horizontal and vertical members and the distance between the tops of the horizontal **members is 45 inches or more, spacing between vertical members shall not exceed 4 inches.** Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1 ¾ in width.
8. Maximum mesh size for chain link fences shall be a 2 ¼ in square unless the fence is provided with slats fastened at the top or bottom which reduce the opening to not more than 1 ¾ inches.
9. Where the barrier is composed of dimensional members, such as lattice fence, the maximum opening formed for the dimensional members shall be no more than 1 ¾ inches.

#### The Gate:

1. Shall be equipped to accommodate a locking device
2. Shall open outward away from the pool
3. Shall be self-closing
4. Gates other than pedestrian gates shall have a self-latching device
5. Where the release mechanism of the self latching device is located less than 54 inches from the bottom of the gate it shall be:
  - a.) located on the pool side of the gate at least 3 inches below the top gate
  - b.) The gate and barrier shall have no opening greater than ½ inch within 18 inches of the release mechanism.

#### The Gate

#### The House or accessory building as part of the barrier:

1. The pool shall be equipped with a powered safety cover in compliance with ASTM F1346 **OR**
2. **All doors** with direct access to the pool though wall as part of barrier shall be equipped with an alarm which produces an audible warning when the door and its screen, if present are opened.
3. The alarm shall sound continuously for 30 seconds
4. Heard though the household
5. Automatically reset under all conditions
6. Alarm equipped with a manual means
7. Deactivation shall last for not more than 15 seconds
8. The Deactivation switch(s) shall be located at least 45 inches above the threshold.

**THE POOL SHALL NOT BE FIELED UNTIL THE FENCING HAS BEEN INSTALLED AND INSPECTED BY THE CONCORD BUILDING DEPARTMENT.**

I, as the homeowner, have read and agreed to comply with the above fencing requirements for an in-ground pool, an above ground pool, hot tub or spa necessary for FINAL inspection as well as occupancy of the newly installed pool.

Name: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Print

Address: \_\_\_\_\_

Please Note: References Massachusetts State Building Code, 780 CMR 120.M